**FARAD CONTINUATION SHEET NO.:**

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE SIDE**

**WRIT PETITION NO.1239 OF 2007**

| Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders. |
|---|---|

Mr. N.N.Mirashi, for the petitioner.
(Absent)

**CORAM : D.B.BHOSALE,J.**
**DATED : 06th JULY, 2007**

**P.C.**:

None appears for the petitioner.

This petition was called out in the morning when none appeared and hence it was kept back. Even now when the matter is called out none appears for the petitioner. I perused the petition. The petitioner has impugned an order dated 31.3.2003 passed by the Deputy Registrar of Co-operative Societies. The order is not annexed to the writ petition. It appears that these proceedings are arising from a recovery certificate issued under section 101 of the Maharashtra Cooperative Societies Act and the amount involved is Rs.23,208/-. A remedy to challenge the recovery certificate under section 101 is

provided under section 154 (2A) of the Act. Without exhausting the remedy as aforestated, the petitioner has approached this Court directly. Having considered this, I am not inclined to entertain this petition. Hence the writ petition is accordingly dismissed.

Dismissal of the writ petition shall not preclude the petitioner from adopting the remedy as aforestated.

**(D.B.BHOSALE,J.)**